

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

In re Flint Water Cases.

Judith E. Levy
United States District Judge

_____/

This Document Relates To:

Bellwether III Cases
Case No. 17-10164

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**JOINT STIPULATION REGARDING SCHEDULING ORDER FOR
BELLWETHER III TRIAL**

Bellwether III Plaintiffs and Defendants Veolia Water North America Operating Services, LLC, Veolia North America, Inc., and Veolia North America, LLC (the “VNA Defendants”), Leo A. Daly Company, Lockwood Andrews & Newnam, P.C., and Lockwood Andrews & Newnam, Inc. (the “LAN Defendants”), hereby stipulate and agree to extend certain pre-trial deadlines in the Scheduling Order for the Bellwether III Trial as follows:

<u>Event</u>	<u>Current Deadline/Date Range</u>	<u>New Deadline/Date Range</u>
Plaintiffs’ Expert Depositions (with the exception of Dr. Bithoney)	February 7, 2023 to March 13, 2023	February 7, 2023 to March 31, 2023

Defendants' Expert Reports and Disclosures (for experts not responsive to Bithoney ("Group A Defense Experts")) ¹	April 10, 2023	April 28, 2023
Plaintiffs' Reply Expert Reports (for those who are responsive to Group A Defense Experts) + Due Date for Bithoney Replacement Expert Report and Complete Disclosure	April 28, 2023	May 19, 2023
Defendants' Reply Expert Reports (for Group A Defense Experts)	May 12, 2023	June 2, 2023
Depositions of Plaintiffs' Experts (Dr. Bithoney and Replacement of Dr. Bithoney) + Defendants' IMEs of Plaintiffs (if needed)		May 22, 2023 to June 9, 2023
Defendants' Expert Depositions (of Group A Defense Experts) (shall be limited only to those experts for whom the parties submit	May 15, 2023 to June 5, 2023	June 5, 2023 to June 23, 2023

¹ The Parties are at an impasse on the issue of which experts are responsive to Dr. Bithoney or his potential replacement and will be seeking clarification from the Court at the next available conference.

new or additional reports)		
Plaintiffs' Reply Expert Report Depositions (for those who are responsive to Group A Defense Experts)	June 6, 2023 to June 12, 2023	June 26, 2023 to June 30, 2023
Defendants' Expert Reports and Disclosures (for experts responsive to Bithoney or Bithoney replacement ("Group B Defense Experts"))		June 23, 2023
Plaintiff Reply Expert Reports (for those who are responsive to Group B Defense Experts)		July 10, 2023
Defendants' Reply Expert Reports (for Group B Defense Experts)		July 21, 2023
Defendants' Expert Depositions (of Group B Expert Reports) (shall be limited only to those experts for whom the parties submit new or additional reports)		July 24, 2023 to August 14, 2023
Plaintiffs' Reply Expert Report Depositions (for those who are responsive to Group B Defense Experts)		August 15, 2023 to August 22, 2023
Daubert and Summary Judgment Motions—Opening Briefs	June 19, 2023	August 30, 2023
Daubert and Summary Judgment Response Briefs	July 23, 2023	September 27, 2023

Daubert and Summary Judgment Reply Briefs	August 7, 2023	October 11, 2023
Motions in Limine—Opening Briefs	November 6, 2023	November 6, 2023
Deadline for parties to submit joint proposed jury questionnaire to the Court	TBD	TBD
Deadline for Parties to send 250 copies of Juror Questionnaires to Judge Levy's Chambers in Ann Arbor, Michigan	TBD	TBD
Plaintiffs to Submit to Defendants Draft Joint Pretrial Order (includes witness list and exhibit list)	March 10, 2023	November 10, 2023
Jurors Summoned in Court to Answer Questionnaires	TBD	TBD
Hearing Regarding Excusals Based on Jury Questionnaire Responses	TBD	TBD
Motions in Limine Response Briefs	November 20, 2023	November 20, 2023
Defendants to Submit to Plaintiffs Draft Joint Pretrial Order (includes witness list and exhibit list) and engage in meet and confer	November 24, 2023	November 24, 2023
Motions in Limine Reply Briefs	November 29, 2023	November 29, 2023

Oral Argument on Daubert Motions	TBD	TBD
Oral Argument on Summary Judgement motions	TBD	TBD
Deposition Designations (due for exchange between parties)	TBD	TBD
Parties to submit Voir Dire Questions, Proposed Preliminary Jury Instructions	December 4, 2023	December 4, 2023
Parties to submit Joint Final Pretrial Order	December 8, 2023	December 8, 2023
Objections to Deposition Designations and Counter Designations (due for exchange between parties)	TBD	TBD
Deadline for Submitting Deposition Designations Matrices and Highlighted Transcripts to the Court	TBD	TBD
Deadline for Court to Inform Jury Department of Excusals Based on Questionnaires	TBD	TBD
Final Pretrial Conference, hearing on motions in limine	December 18, 2023 10:30 am	December 18, 2023 10:30 am
Hearing Regarding Misc. Pretrial Matters (if needed)	January 9, 2024 10:30 am	January 9, 2024 10:30 am

First Day of Trial/Voir Dire	January 10, 2024 8:30 a.m.	January 10, 2024 8:30 a.m.
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Dated: March 10, 2023

Respectfully submitted,

CAMPBELL CONROY &
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